

ANDREW JANZ, City Attorney  
CITY OF FRESNO  
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Attorneys for Defendant, CITY OF FRESNO

*Exempt From Filing Fees Pursuant  
To Government Code Section 6103*

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA – FRESNO DIVISION**

MARTHA ZEPEDA OLIVARES, individually  
and on behalf of the ESTATE OF  
MAXIMILIANO SOSA, JR.; MAXIMILIANO  
SOSA, SR.,

Plaintiffs,

vs.

CITY OF FRESNO, UNKNOWN LAW  
ENFORCEMENT OFFICERS, and DOES 1 -  
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Defendants.

Case No.: 1:23-cv-01575 JLT SAB

**CITY OF FRESNO'S NON-OPPOSITION  
TO MODIFIED ORDER ALLOWING  
PRIVATE AUTOPSY PRIOR TO  
EMBALMING OR FUNERAL**

TO ALL PARTIES AND THEIR ATTORNEY OF RECORD:

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1 Defendant City of Fresno submits this Non-Opposition to the United States Eastern District  
2 Court's Modified Order Re: Plaintiff's Emergency Ex Parte Application for Order Allowing Private  
3 Autopsy Prior to Embalming or Funeral that was issued on November 8, 2023.

4  
5 DATED: November 9, 2023

Respectfully submitted,

6 ANDREW JANZ  
7 City Attorney

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9 By: 

10 TRAVIS R. STOKES  
11 Assistant City Attorney  
12 Attorneys for Defendant, CITY OF FRESNO  
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**PROOF OF SERVICE**  
CCP §§ 1011, 1013, 1013a, 2015.5  
FRCP 5(b)

STATE OF CALIFORNIA, COUNTY OF FRESNO

I am employed in the County of Fresno, State of California. I am over the age of 18 and not a party to the within action; my business address is 2600 Fresno Street, Fresno, CA 93721-3602.

On **November 9, 2023**, I served the document described as **CITY OF FRESNO'S NON-OPPOSITION TO MODIFIED ORDER ALLOWING PRIVATE AUTOPSY PRIOR TO EMBALMING OR FUNERAL** on the interested parties in this action identified as follows:

Kevin G. Little, Esq.  
Michelle Tostenrude, Esq.  
Law Office of Kevin G. Little  
P.O. Box 8656  
Fresno, CA 93747  
Email: [kevin@kevinglittle.com](mailto:kevin@kevinglittle.com); [michelle@kevinglittle.com](mailto:michelle@kevinglittle.com)

(Attorneys for Plaintiffs)

■ By: ☐ transmitting the original in a sealed envelope, ■ transmitting a true copy thereof in a sealed envelope, ■ transmitting a true copy thereof:

■ BY MAIL ☐ I deposited an envelope containing the above-referenced document in the mail at Fresno, California. The envelope was mailed with postage thereon fully prepaid.

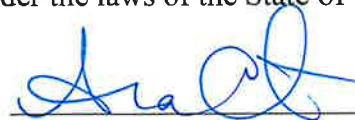
■ As follows: I am "readily familiar" with the firm's practice of collection and processing correspondence for mailing. Under that practice, it would be deposited with U.S. postal service on that same day with postage thereon fully prepaid at Fresno, California in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.

☐ (BY PERSONAL SERVICE) I caused an envelope containing of the above-referenced document to be hand delivered.

■ (BY ELECTRONIC MAIL) I caused the above-referenced document to be transmitted by electronic mail (e-mail) to the addressee(s) at the e-mail(s) shown.

Executed on **November 9, 2023**, at Fresno, California.

■ (State) I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

  
\_\_\_\_\_  
Anna Contreras